

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

ERIC VEAL,

Petitioner

v.

DON JARRIEL, Warden,

Respondent

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5:05-CV-53 (WDO)

ORDER

Before the Court is the Magistrate Judge's Report and Recommendation to dismiss this habeas petition as impermissibly second or successive. Because the Petitioner has already filed a habeas petition that was dismissed on the merits, see Veal v. Walker, 5:00-CV-461 (HL), this latest petition is impermissibly "second or successive." Petitioner Veal must receive permission from the court of appeals to file a successive habeas petition. Accordingly, having carefully considered the Recommendation and Petitioner's objections thereto, this habeas petition is DISMISSED.

SO ORDERED this 7th day of June, 2005.

**S/Wilbur D. Owens, Jr.
WILBUR D. OWENS, JR.
UNITED STATES DISTRICT JUDGE**